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Attorneys for Defendants
PIONEER CORPORATION, PIONEER HIGH
FIDELITY TAIWAN CO., LTD., PIONEER NORTH
AMERICA, INC. AND PIONEER ELECTRONICS
(USA) INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: OPTICAL DISK DRIVE
PRODUCTS ANTITRUST LITIGATION

Case No. 3:10-md-2143-RS

This Document Relates to:
3:14-cv-03748,
JLK SYSTEMS GROUP, INC., et al.
Plaintiffs,
v.
PIONEER CORPORATION, et al.,
Defendants

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING SERVICE OF
PROCESS, CONSOLIDATION AND
DISCOVERY IN RELATED ACTION**

STIPULATION

WHEREAS, on August 26, 2010, Direct Purchaser Plaintiffs (“DPPs”) filed a consolidated complaint in this multi-district litigation against a number of defendants, in *In re Optical Disk Drive Products Antitrust Litigation*, Case No. 3:10-MD-2143-RS (the “*ODD Litigation*”). (*ODD Litigation*, ECF No. 159.)

WHEREAS, since that time, the *ODD Litigation* has proceeded.

WHEREAS, on August 18, 2014, DPPs filed a separate class action complaint against defendants Pioneer Corporation, Pioneer High Fidelity Taiwan Co., Ltd., Pioneer North America, Inc., and Pioneer Electronics (USA) Inc. (together, “Pioneer”) relating to the same claims set forth in the *ODD Litigation*, in *JLK Systems Group, Inc., et al. v. Pioneer Corporation., et al.*, Case No. 3:14-cv-03748-LB (the “*JLK Action*”).

WHEREAS, on August 25, 2014, this Court entered an order deeming the *JLK Action* related to the *ODD Litigation* and transferring the *JLK Action* to this Court. (*ODD Litigation*, ECF No. 1396.)

WHEREAS, on September 2, 2014, Pioneer North America, Inc. and Pioneer Electronics (USA) Inc., were served with process in the *JLK Action* and their response to the *JLK Action* complaint is currently due on or before March 2, 2015.

WHEREAS, Pioneer and DPPs have been meeting and conferring on several topics, such as the completion of service of process, consolidation and discovery.

NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned counsel for the parties as follows:

1. With respect to service of process, as authorized by Pioneer, undersigned counsel for Pioneer agree to accept service of the *JLK Action* complaint and the parties agree that Pioneer’s response to the *JLK Action* complaint shall be due on or before March 2, 2015.

2. With respect to consolidation, the *JLK Action* shall be fully consolidated with, and Pioneer shall be a defendant in, the *ODD Litigation*, with the following agreements between Pioneer and DPPs: (i) all filings including and/or relevant to Pioneer shall be filed in the *ODD Litigation*, rather than the *JLK Action*; (ii) consolidation of the *JLK Action* with the *ODD*

Litigation will not prevent Pioneer from seeking extensions of time to complete discovery, file summary judgment, prepare for trial or complete other work in the *ODD Litigation* due to their late entry into this matter, and DPPs will meet and confer in good faith with Pioneer regarding such extensions; and (iii) by agreeing to consolidation, Pioneer is not waiving any defenses, claims or arguments that Pioneer could otherwise assert in the separate *JLK* action.

3. With respect to discovery, Pioneer and DPPs agree that any discovery served on Pioneer by DPPs shall be initially limited to the set of five Pioneer custodians previously agreed to by Pioneer and the Indirect Purchaser Plaintiffs.

IT IS SO STIPULATED.

Dated: February 11, 2015

JONES DAY

By: /s/ Eric P. Enson
Eric P. Enson

Attorneys for Defendants
PIONEER CORPORATION, PIONEER
HIGH FIDELITY TAIWAN CO., LTD.,
PIONEER NORTH AMERICA, INC. AND
PIONEER ELECTRONICS (USA) INC.

Dated: February 11, 2015

SAVERI & SAVERI, INC.

By: /s/ Cadio Zirpoli
Cadio Zirpoli

Executive Committee For
DIRECT PURCHASER PLAINTIFFS

* * *

IT IS SO ORDERED.

Dated: 2/12/2015


RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE